

**THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

MARK WALTERS)	
)	
Plaintiff,)	
)	
v.)	
)	Civil Action No. 1:23-cv-03122-
OpenAI, L.L.C.,)	MLB
)	
Defendant.)	
)	

**DEFENDANT OPENAI, L.L.C.’S MOTION TO
DISMISS PLAINTIFF’S AMENDED COMPLAINT**

Defendant OpenAI, L.L.C. (“OpenAI”), by and through the undersigned attorneys, files this Motion to Dismiss Plaintiff Mark Walters’s Amended Complaint pursuant to Fed. R. Civ. P. 12(b)(2) and 12(b)(6). For the reasons set forth in OpenAI’s Memorandum of Law in Support of this Motion, filed contemporaneously herewith, OpenAI respectfully requests that the Complaint be dismissed in its entirety with prejudice.

Dated: October 13, 2023

Ilana H. Eisenstein, *pro hac vice*
Marie Bussey-Garza, *pro hac vice*
One Liberty Place
1650 Market Street, Suite 5000
Philadelphia, PA 19103
Tel.: (215) 656-3300
Fax: (215) 656-3301
ilana.eisenstein@us.dlapiper.com
marie.bussey-garza@us.dlapiper.com

Peter Karanjia, *pro hac vice*
500 Eighth Street, NW
Washington, DC 20004
Tel.: (202) 799-4000
Fax: (202) 799-5000
peter.karanjia@dlapiper.com

Respectfully submitted,

By: /s/ Brendan Krasinski
Brendan Krasinski
Georgia Bar No. 159089
DLA Piper LLP (US)
1201 West Peachtree Street, Suite 2900
Atlanta, Georgia 30309
Tel.: (404) 736-7861
Fax: (404) 682-7831
brendan.krasinski@dlapiper.com

Danny Tobey, *pro hac vice*
1900 N. Pearl St., Suite 2200
Dallas, TX 75201
Tel.: (214) 743-4500
Fax: (214) 743-4545
danny.tobey@dlapiper.com

Ashley Allen Carr, *pro hac vice*
303 Colorado Street, Suite 3000
Austin, TX 78701
Tel.: (512) 457-7000
Fax: (512) 457-7001
ashley.carr@dlapiper.com

Attorneys for Defendant OpenAI, L.L.C.

CERTIFICATE OF SERVICE

I hereby certify that, on this 13th day of October, 2023, I electronically filed the foregoing Motion to Dismiss and Memorandum of Law in Support with the Clerk of Court using the CM/ECF system, which will send e-mail notification of such filing to all attorneys of record.

Dated: October 13, 2023

By: /s/ Brendan Krasinski

Brendan Krasinski